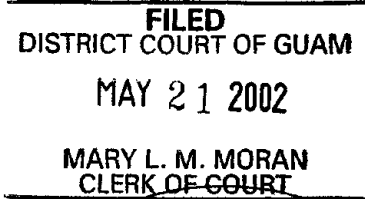


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MICHAEL EGAN and  
BRIAN EGAN, a Minor,  
By and through his  
Guardian Ad Litem  
MICHAEL EGAN



IN THE U.S. DISTRICT COURT  
OF GUAM

MICHAEL EGAN and BRIAN EGAN, a Minor,  
by and through His Guardian Ad Litem  
MICHAEL EGAN

CIVIL CASE NO. 02-00007

Plaintiff,

SCHEDULING ORDER

vs.

UNITED STATES OF AMERICA,

Defendant.

**SCHEDULING ORDER**

Pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure, and Rule 16.1 of the Local Rules of Practice for the District Court of Guam, the parties hereby submit the following Scheduling Order:

1. The nature of the case is as follows:  
Property Damage Negligence

ORIGINAL

2. The posture of the case is as follows:

a) The following motions are on file (pending):

None at the present time.

b) The following motions have been resolved:

Not applicable.

c) The following formal discovery has been initiated:

None at the present time.

3. All Motions to add parties and claims shall be on or before:


September 6, 2002

4. All Motions to amend pleadings shall be filed on or before:

September 6, 2002

5. Status of Discovery:

The Discovery Plan (filed concurrently herewith) is adopted and incorporated as part of this Scheduling Order.

 ~~6. The parties shall appear before the District Court on May 23, 2002, at 3:00 p.m. for the Scheduling Conference.~~

7. The discovery cut-off date (defined as the last day to file responses to discovery) is: August 9, 2002.

8. a) The anticipated discovery motions are:

None at this time.

b) All discovery motions shall be filed on or before August 23, 2002.

These motions will be heard on or before September 13, 2002.

c) All dispositive motions shall be filed on or before September 27, 2002 and heard on or before October 18, 2002.

9. The prospects for settlement are:

Favorable

10. The Preliminary Pretrial Conference shall be held on October 29, 2002 at 4:00 p.m. (no later than 21 days to trial date).

11. The parties' pretrial materials, discovery materials, witness lists, designations and exhibit lists shall be filed on or before November 4, 2002 (no later than 14 days prior to Trial).

12. The Proposed Pretrial Order shall be filed on or before November 4, 2002 (no later than 14 days prior to Trial).

13. The Final Pretrial Conference shall be held on November 12, 2002, at 4:00 p.m. (no later than 7 days prior to Trial).

14. The Trial shall be held on November 18, 2002 at 9:30 a.m.

15. The parties do not seek a jury trial.

16. It is anticipated that it will take one to two (1-2) days to try this case.

17. The names of counsel on this case are:

William L. Gavras, Esq. for Plaintiffs Michael Egan and Brian Egan, a Minor, by and through His Guardian Ad Litem Michael Egan

Mikel W. Schwab, Esq., Assistant United States Attorney for Defendant.

18. The Parties are amenable to submitting this case to a settlement conference.

19. The parties present the following suggestions for shortening trial:

None at this time.

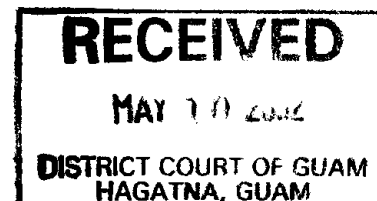
20. The following issues will affect the status or management of the case:

Unknown at this time

DATED this 21<sup>st</sup> day of May, 2002.



HONORABLE JOHN S. UNPINGCO  
Chief District Judge



APPROVED AS TO FORM AND CONTENT:

Dated: May 10, 2002.

Frederick A. Black, Esq.  
UNITED STATES ATTORNEY

BY: 

MIKEL W. SCHWAB, ESQ.  
Assistant U.S. Attorney  
Attorneys for Defendant  
UNITED STATES OF AMERICA

Dated: May 10, 2002.

GORMAN & GAVRAS

For

BY: 

WILLIAM L. GAVRAS, ESQ.  
Attorneys for Plaintiffs  
MICHAEL EGAN and BRIAN EGAN,  
A Minor, by and through His Guardian  
Ad Litem MICHAEL EGAN.